

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Drohmann	Docket No.:	53383
Application No.:	10/509,641	Examiner:	POPOVICS, ROBERT J
Filed:	9/29/2004	Art Unit:	1797
Customer No.:	26474	Confirmation No.:	4300

For: Use of polymers comprising thermoplastic polymers as filtration aids and/or stabilising agent

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This subject Information Disclosure Statement is submitted in connection with applicants' continuing duty of disclosure under 37 C.F.R. §1.56. This Information Disclosure Statement (IDS) before the mailing date of any final action, notice of allowance or action that otherwise closes prosecution. This IDS is submitted with the fee set forth under 37 C.F.R. §1.17(p), thus a Certification under 37 C.F.R. §1.97(e) is not required.

The fee under 37 C.F.R. §1.17(p) of \$180.00 is paid by credit card (Form PTO-2038 enclosed). Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account 14.1437. Please credit any excess fees to such account.

LISTING OF RELEVANT DOCUMENTS

The relevant documents are listed in the attached Form PTO/SB/08.

REMARKS

The references cited in this IDS include the following documents, which are associated with co-pending U.S. application 10/398,179:

- Divergan (Reg. TM) – The PVPP from BASF – We keep it clear; date unknown; 12 pages.
- BASF Fine Chemicals – Excipients & Actives for Pharma; 60th Anniversary of Povidone; 16 pages; July 1999
- Final Office Action dated September 4, 2008 in related case 10/398,179
- Office Action dated July 13, 2007 in related case 10/398,179
- Advisory Action dated September 18, 2006 in related case 10/398,179
- Final Office Action dated June 13, 2006 in related case 10/398,179
- Office Action dated January 12, 2006 in related case 10/398,179
- Office Action dated July 13, 2005 in related case 10/398,179
- Office Action dated March 28, 2005 in related case 10/398,179
- Office Action (Restriction Requirement) dated November 30, 2004 in related case 10/398,179

Applicants present these references so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rule 104. Applicants respectfully request that these references be expressly considered during the prosecution of this application and made of record herein and appear among the “References Cited” on any patent to issue herefrom.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

The filing of this information disclosure statement shall not be construed as a

representation that a search has been made, or an admission that the information cited is, or is considered to be, material to patentability, or that the information is analogous to the subject matter of the present invention, or that no other material information exists. Further, the filing of this information disclosure statement shall not be construed as an admission against interest in any manner.

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Respectfully submitted,
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A handwritten signature in black ink, appearing to read "Michael P. Byrne", written over a horizontal line.

Michael P. Byrne
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